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HUMAN RIGHTS QUESTIONS: HUMAN RIGHTS SITUATIONS AND REPORTS OF SPECIAL RAPPORTEURS AND REPRESENTATIVES

Colombia, Mexico, Spain and Venezuela: draft resolution

Situation of human rights in El Salvador

The General Assembly,

Guided by the international human rights instruments,

Recalling its resolution 47/140 of 18 December 1992, as well as Commission on Human Rights resolution 1993/93 of 10 March 1993 1/ and the statement of 20 August 1993 by the Chairman of the Subcommission on Prevention of Discrimination and Protection of Minorities on support for the peace process in El Salvador,

Taking into account the reports of the Secretary-General and the Director of the Human Rights Division of the United Nations Observer Mission in El Salvador,

Convinced that full and speedy implementation of the Peace Accords is necessary in order to guarantee full respect for human rights and the consolidation of the reconciliation and democratization process under way in the country,

Welcoming the fact that many of the agreements have already been put into effect by the Government of El Salvador and the Frente Farabundo Martí para la Liberación Nacional,

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1/ See Official Records of the Economic and Social Council, 1993, Supplement No. 3 (E/1993/23), chap. II, sect. A.

Concerned none the less that despite the appeals of the Security Council and the Secretary-General most of the agreements referred to in Security Council resolution 832 (1993) of 27 May 1993 have not been implemented, and that there have been some irregularities in the application of the agreements relating to public security,

Concerned also about the resurgence of acts of violence and their negative effect on the political climate of the country, particularly about the recent assassinations and threats which may be politically motivated directed against leaders and other members of different political tendencies, probably by illegal armed groups, which repeat the behavioural patterns prevailing in the past, and alarmed because these acts of political violence could jeopardize the peace process and the holding of free and fair elections, unless effective measures to eliminate and punish such human rights violations are taken immediately,

Noting with interest the agreement between the Government of El Salvador and the United Nations Observer Mission in El Salvador on the establishment of a mechanism to investigate clandestine armed groups and their possible connection with the resurgence of political violence,

Taking note of the importance of having adopted a number of reforms of the judicial system, as well as of the need to adopt both the reforms which are in the process of being approved and the reforms recommended by the Commission on the Truth, all of which are designed to contribute to the elimination of the existing impunity and consequently to the full attainment of the rule of law,

Considering that the international community must follow closely and continue to support all efforts to consolidate peace, ensure full respect for human rights and undertake the reconstruction of El Salvador,

1. Commends the Government of El Salvador and the Frente Farabundo Martí para la Liberación Nacional for having fulfilled many of their commitments and for having overcome a number of obstacles to the application of the agreements;

2. Regrets none the less that there have been considerable delays in the implementation of some agreements, and therefore calls on the Government of El Salvador and the Frente Farabundo Martí para la Liberación Nacional to step up their efforts to complete as agreed, by the proposed dates, the programme for the transfer of land, the reintegration programme for ex-combatants, the deployment of the National Civil Police and the phasing-out of the National Police, as well as the collection of weapons issued for the exclusive use of personnel of the Armed Forces and the adoption of the Act on Private Security Services;

3. Condemns the recent acts of political violence, which have been repudiated by the various sectors of Salvadorian society, and considers it inadmissible that such acts, perpetrated by a small minority, should jeopardize the progress made in implementing the agreements and hamper the holding of free elections in March 1994;

4. Fully supports the immediate conduct of a complete, effective and impartial investigation of illegal armed groups, as recommended by the

Commission on the Truth, which has become urgent in view of the recent acts of political violence;

5. Notes with satisfaction the statement of 5 November 1993, entitled "Commitment of the presidential candidates to peace and stability in El Salvador", in which the candidates inter alia solemnly committed themselves to maintain the constructive evolution of the peace process and to implement all the commitments contained in the Peace Accords and rejected any politically motivated violence or intimidation;

6. Calls upon all Governments to contribute to the consolidation of peace and the attainment of full respect for human rights in El Salvador by supporting full compliance with the Peace Accords and generously financing their implementation and the implementation of the National Reconstruction Plan;

7. Reiterates it gratitude for the important work being carried out by the Secretary-General and his representatives and by the United Nations Observer Mission in El Salvador, and extends to them its support so that they can continue to take all necessary steps to contribute to the successful implementation of the Peace Accords;

8. Acknowledges with satisfaction the continuing efforts of the Governments of Colombia, Mexico, Spain and Venezuela, which make up the Group of Friends of the Secretary-General, as well as the Government of the United States of America, in support of the steps being taken by the Secretary-General to consolidate the peace process in El Salvador;

9. Notes that the human rights situation in El Salvador continues to evolve in a somewhat ambivalent fashion, since, on the one hand, there continue to be signs of improvement and, on the other hand, serious violations persist, particularly as regards the right to life, and the capacity of the judicial system to clarify and punish such violations continues to be unsatisfactory;

10. Urges the Government of El Salvador and all other institutions involved in the electoral process to adopt the necessary measures to ensure that the elections which are to take place in March 1994 are free, representative and fair, since they are a key component of the peace process;

11. Decides to keep the situation of human rights in El Salvador under consideration during its forty-ninth session in the light of the course of events in the country.